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Joint statement by AARP, HelpAge International and the International Federation on Ageing, non-governmental organizations in general consultative status with the Economic and Social Council; Global Action on Aging, the International Association of Gerontology and Geriatrics, the International Association of Homes and Services for the Ageing and the International Network for the Prevention of Elder Abuse, Inc., non-governmental organizations in special consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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Statement

Strengthening the rights of older people worldwide

Introduction

1. Older people continue to experience discrimination and violation of their rights and are subsequently marginalized and excluded from society. Existing human rights mechanisms do not sufficiently protect older people's rights and the time has come to explore new mechanisms to better protect their rights.

Human rights, older people and social integration

2. The protection of human rights is central to social integration. Commitment 4 of the 1995 Copenhagen Declaration on Social Development committed Governments to "promote social integration by fostering societies that are stable, safe and just, and are based on the promotion and protection of all human rights".[1]

3. The world population is ageing rapidly: by 2050 one in five people will be over the age of 60, with over three quarters in developing countries.[2] As the world experiences rapid population ageing, the pressures that result in age discrimination are likely to intensify; so does the imperative to address such discrimination.

4. Protecting older people's rights and treating them with respect on an equal basis along with younger people will help them to lead dignified, secure lives as equal members of society. Increased protection of the rights of older men and women creates the conditions which enable them to live more independently and to participate in and contribute to their own development, as well as that of those around them. In so doing, respecting and protecting all people's rights results in more inclusive, equitable and sustainable societies.

Discrimination against older people

5. The Universal Declaration on Human Rights (1948) states in article 1 that "all human beings are born free and equal in dignity and rights". This equality does not change with age. However, many older women and men continue to experience discrimination, abuse and neglect, with little attention paid to protecting their rights.

6. Older men and women age differently and the discrimination that they experience is often multidimensional, based not only on age but on other factors, such as gender, ethnic origin, where they live, disability, poverty, sexuality and/or literacy levels. The combination of a lifetime of gender-based discrimination and age discrimination means that older women often face disproportionate abuse and discrimination. Older people in rural areas, older refugees, older asylum-seekers and stateless older people also experience disproportionate levels of discrimination.

7. Older men and women are often denied access to services and jobs or treated with disrespect because of their age and other factors such as gender or disability. Older men and women are often subjected to abuse, including verbal, sexual, psychological and financial abuse. Many older people do not have financial

[1] See http://www.un.org/documents/ga/conf166/aconf166-9.htm.

[2] *World Population Prospects: The 2006 Revision*, Department of Economic and Social Affairs, 2006.

protection such as pensions and other forms of social security. Older people may not receive appropriate health and social care because of their age. Treatment can be denied or older people can receive poor or insufficient service.

8. Sometimes older people are deemed "unemployable" because of their age, which is a violation of a person's rights in the workplace — everyone has the right to income security. Furthermore, older people may also be forced to stop working because of mandatory retirement ages. In many parts of the world inheritance laws, both statutory and customary, deny women of all ages the right to own or inherit property when their husband is deceased. Family members often force widows off their land or seize their property, which is a violation of their right to equality in terms of ownership, management and disposition of property.

Existing protection of older people's rights is inadequate

9. Existing international and regional human rights law does not sufficiently protect older people's rights. International human rights conventions, which are legally binding, all emphasize that human rights are for everyone. However, with the exception of one convention (on migrant workers), age is not listed explicitly as a reason why someone should not be discriminated against.

10. In practice, the existing system does not adequately protect the rights of older men and women. For example, treaty bodies, whose role it is to monitor how international conventions are being implemented, rarely ask countries to include older people in their reporting. At a national level, the continued existence of age discrimination and ageism in national laws, policies and practice is also a sign that Governments have failed to adequately incorporate older people's rights into their laws, budgets, programmes and training for service delivery staff.

11. "Soft laws" guiding the treatment of older women and men, most notably the United Nations Principles for Older Persons (1991) and the Madrid International Plan of Action on Ageing, 2002, are not legally binding and as a result are not systematically integrated into government policies and practice.

The need for new mechanisms to protect older people's rights

12. In the face of continuing discrimination and insufficient legal protection, the time has come to explore new mechanisms to better protect older people's rights. These include a special rapporteur and a convention on the rights of older people.

13. A convention would help older people live lives of dignity. It would help change attitudes towards older people; increase the visibility of older people and highlight ageism and age discrimination; clarify responsibilities towards older people; improve accountability; and provide a framework for policy and decision-making. This is essential for achieving social integration and building societies for all that respect everyone's rights.

14. The human rights standards that protect older people's rights are scattered throughout various international and regional conventions. Bringing the relevant provisions together in one text, as was successfully done for the rights of women, children and people with disabilities, would bring clarity to both the nature of older people's rights and the responsibilities necessary to protect them.

15. A special rapporteur on the rights of older people could advise and support Member States on the better implementation of the Madrid Plan of Action and, eventually, on the elaboration of a new convention. The rapporteur could promote and give visibility to the rights of older people by examining and reporting on the nature and extent of violations of older people's rights and making recommendations on how to better protect older people's rights, and would also be able to encourage existing rapporteurs to address older people's rights within their specific areas of concern.

Recommendation

16. We urge the Commission for Social Development to recommend that Member States explore the possibility of new mechanisms to better protect the rights of all older women and men, including a special rapporteur and a convention on the rights of older people.